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September 2, 2005

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Commissioner for Patents
PO Box 1450
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Art Unit 3639

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 09/369,391; Filed: August 6, 1999
For: Customer-Based Product Design Module
Inventor: Daniel H. Abelow
Our Ref: 2222.2630005

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449 one (1) page listing the cited references; and
3. A return postcard.

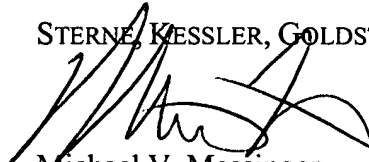
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
September 2, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Michael V. Messinger", is written over the firm name.

Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

MVM/YAT/tts
Enclosures

439083v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Daniel H. Abelow

Appl. No.: 09/369,391

Filed: August 6, 1999

For: **Customer-Based Product Design
Module**

Confirmation No.: 6732

Art Unit: 3639

Examiner: Dixon, Thomas A.

Atty. Docket: 2222.2630005

Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. In accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents cited on the attached IDS Form are not submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. It is expected that the examiner will review the prosecution and cited art in parent application nos. 08/934,457, filed September 19, 1997 (now U.S. Pat. 5,999,908),

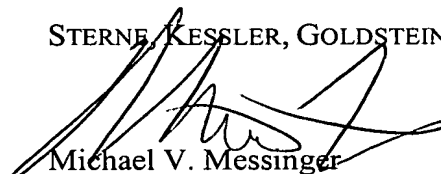
08/243,638, filed May 16, 1994, and 07/926,333, filed August 6, 1992, in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution histories has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael V. Messinger
Attorney for Applicant
Registration No. 37,575

Date: September 2, 2005

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436533_1.DOC



FORM PTO-1449

**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**ATTY. DOCKET NO.
2222.2630005APPLICATION NO.
09/369,391INVENTOR
Daniel H. AbelowFILING DATE
August 6, 1999ART UNIT
3629**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL | DOC. REF. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|--------------|-----------------|---------|----------------------|-------|-----------|-------------|
| | AA1 | 4,746,788 | 05/1988 | Kawana | | | |
| | AB1 | 4,774,655 | 09/1988 | Kollin <i>et al.</i> | | | |
| | AC1 | 4,803,348 | 02/1989 | Lohrey <i>et al.</i> | | | |
| | AD1 | 4,851,999 | 07/1989 | Moriyama | | | |
| | AE1 | 5,283,819 | 02/1994 | Glick <i>et al.</i> | | | |
| | AF1 | 2004-0177002 | 12/2003 | Abelow | | | |
| | AG1 | | | | | | |
| | AH1 | | | | | | |
| | AI1 | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOC. REF. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|--------------|-----------------|------|---------|-------|-----------|-------------|
| | AJ1 | | | | | | Yes No |
| | AK1 | | | | | | Yes No |
| | AL1 | | | | | | Yes No |
| | AM1 | | | | | | Yes No |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| EXAMINER INITIAL | DOC. REF. | CITATION |
|---------------------|--------------|----------|
| | AN1 | |
| | AO1 | |
| | AP1 | |
| | AQ1 | |
| | AR1 | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.